



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,492	03/13/2001	Jeremy S. Edmonds	SEDN/246DIV3	1945

56015 7590 11/07/2005

MOSER, PATTERSON & SHERIDAN, LLP/
SEDNA PATENT SERVICES, LLC
595 SHREWSBURY AVENUE
SUITE 100
SHREWSBURY, NJ 07702

EXAMINER

CHEVALIER, ROBERT

ART UNIT	PAPER NUMBER
----------	--------------

2616

DATE MAILED: 11/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/805,492

Applicant(s)

EDMONDS ET AL.

Examiner

Bob Chevalier

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 7-10, 12-16 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 2-6 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's Remarks, filed 9/15/05, with respect to claim(s) 1-16, and 18-20 have been fully considered. However, upon further consideration and a newly found reference, a new ground(s) of rejection is made in view of this reference "Gordon et al.

Claim Objections

2. Claims 18-20 are objected to because of the following informalities: It is noted that claims 18-20 should be renumbered as 20-22 as originally intended. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 7-10, 12-16, and 18-20, are rejected under 35 U.S.C. 102(e) as being anticipated by Gordon et al.

Gordon et al discloses a video splicing apparatus that shows all the limitations recited in claim 1, including the feature of loading placing hardware with current PID and a target PID for an upcoming splice (See Gordon et al's Figure 18, component 1804), the feature of receiving an interrupt indicating that a splice has been performed (See Gordon et al's Figure 18, component 1814), and the feature of loading a new target PID

into the splicing hardware for a next splice as specified in the present claim 1. (See Gordon et al's Figure 18, component 1816).

With regard to claim 7, the feature of generating the interrupt as a result of performing the splice as specified thereof is present in Gordon et al. (See Gordon et al's column 17, lines 14-16).

With regard to claim 8, the feature of identifying video packets in the transport stream and providing the video packet if the PID of the packet matches the current PID as specified thereof is present in Gordon et al. (See Gordon et al's column 13, lines 49-59).

With regard to claim 9, the feature of splice been performed and prior to loading the new target PID into splicing hardware, transferring the target PID as the current PID within the splicing hardware as specified thereof is present in Gordon et al. (See Gordon et al's Figure 18, component 1816).

With regard to claim 10, the feature of the splicing being performed at a subpicture level and the plurality of splices being performed for an intracode picture as specified thereof is present in Gordon et al. (See Gordon et al's Figures 15-16, and the corresponding disclosure).

With regard to claim 12-13, the feature of defining an array with a plurality of elements and setting the plurality of elements in the array with plurality of PIDs as specified thereof is present in Gordon et al. (See Gordon et al's Figure 18, components 1802, and 1804).

With regard to claims 14-16, the feature of initiating the hardware with a set of parameters for an upcoming splice and updating the set of parameters for the splicing hardware for a next splice as specified thereof is present in Gordon et al. (See Gordon et al's Figure 18, components 1802, 1804, 1814, and 1816).

With regard to claim 18, the feature of demodulator, the transport demultiplexer and the controller specified thereof is present in Gordon et al. (See Gordon et al's Figure 18, and Figure 14).

With regard to claim 19, the feature of the demultiplexer being loaded with a current PID and a target PID for the upcoming splice and is updated with a new target PID for the next splice as specified thereof is present in Gordon et al. (See Gordon et al's Figure 18, components 1802, 1804, 1814, and 1816).

With regard to claim 20, the feature maintaining an array of element with PID to be spliced and wherein the demultiplexer is updated based on PID stored in the array as specified thereof is present in Gordon et al. (See Gordon et al's Figure 18).

The applied reference has a common Inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Art Unit: 2616

5. Claims 2-6, 11, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 571-272-7374. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

B. Chevalier
November 2, 2005.


ROBERT CHEVALIER
PRIMARY EXAMINER